
Education Committee

ESSB 5880

Brief Description: Providing flexibility in the education system.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Oemig, Hobbs and McDermott).

Brief Summary of Engrossed Substitute Bill

- Repeals, modifies, or suspends for two years certain laws related to task forces, awards, and policies required of the Office of the Superintendent of Public Instruction and school districts.
- Imposes certain requirements only to the extent funds are available.
- Prohibits mandatory training on certain topics or allows training to be provided online.
- Makes membership in the Washington State School Directors' Association optional for school board members.

Hearing Date: 3/20/09

Staff: Barbara McLain (786-7383)

Background:

Title 28A of the Revised Code of Washington contains most of the laws pertaining to Washington's public school system. School districts are political subdivisions of the state whose structure, duties, and responsibilities are established by state law, with functions to be carried out under the direction of elected boards of directors. The Superintendent of Public Instruction (SPI) is assigned by the state Constitution to have supervision over all matters pertaining to the common schools, but most of the duties of the Office of the Superintendent of Public Instruction (OSPI) are established in law.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

There are a number of laws creating task forces, requiring mandatory training of school district employees on particular topics, or requiring school districts to adopt model policies. The OSPI must provide monetary awards to educators through the Award for Excellence in Education, and the Professional Educator Standards Board oversees an Award for Excellence in Teacher Preparation. All members of school district boards of directors must be members of the Washington State School Directors' Association.

Summary of Bill:

A number of laws related to task forces, awards, policies, and training are repealed, suspended, or modified.

The following requirements are repealed:

- an advisory committee is created to develop a model policy on access to nutritious foods and the development of a physical education (PE) and fitness curriculum for students, and school districts must adopt a policy by August 1, 2005;
- it is the goal of Washington state that, by 2010: all districts must have school health advisory committees; only healthy food and beverages must be provided by schools during school hours or for school-sponsored activities; all students in grades one through eight must have at least 150 minutes of quality PE every week; and PE must be conducted by appropriately certified instructors; and
- the SPI must appoint a substance abuse advisory committee comprised of specified representatives.

The following programs or task forces are suspended until July 1, 2011:

- the Financial Literacy Public-Private Partnership;
- a Task Force on Gangs in Schools working under the guidance of the OSPI school safety center, the school safety center advisory committee, and the Washington Association of Sheriffs and Police Chiefs;
- the OSPI must review current policies and assess the adequacy of programs for children with incarcerated parents; adopt additional policies; gather information and data; and participate in the Children of Incarcerated Parents Advisory Committee;
- the OSPI establishes the Award for Excellence in Education program, providing monetary awards of at least \$2,500 for 35 teachers, 15 classified staff, five principals or administrators, one superintendent, and one school board member; and
- the Professional Educator Standards Board establishes the Award for Excellence in Teacher Preparation, providing an annual award of up to \$2,500 to recognize teacher educators.

The following requirements are imposed to the extent funds are available:

- every school district must provide free instruction in lip reading to hearing-impaired children and adults whenever it appears to be in the best interests of the school district and the adults concerned; and
- until July 1, 2011, public school districts must comply with high-performance public buildings requirements, and all major facility projects of public school districts receiving any funding in a state capital budget must be designed and constructed to at least the Leadership in Energy and Environmental Design silver standard or the Washington sustainable school design protocol.

The following requirements regarding training for school district staff are modified:

- the OSPI must not require annual training regarding child abuse and neglect, except that new employees must receive training within the first year of employment. The OSPI may consider offering training every four years. School districts are encouraged to work with private or nonprofit entities to provide the appropriate training for staff;
- the OSPI must not require annual training in conflict resolution and other violence prevention topics, but training may be offered every four years;
- Districts may provide the sexual harassment policy to employees online. The OSPI must not require annual training to address sexual harassment policies. Beginning in 2011, training may be offered every four years, except for new employees who must receive training within the first year of employment;
- to the extent possible, training for treating students with asthma must be offered online and no more than once every three years; and
- to the extent possible, training for responding to a student who may be experiencing anaphylaxis must be offered online and no more than once every three years.

The following additional requirements are modified:

- the SPI must collect and disseminate to districts information on child abuse and neglect prevention curriculum and adopt rules for the prevention of child abuse for curriculum use. Providing online access to this information is sufficient, unless a parent specifically requests the information in writing; and
- members of the boards of directors of school districts are no longer required to become members of the Washington State School Directors' Association.

Appropriation: None.

Fiscal Note: Requested for substitute bill on February 19, 2009.

Effective Date: The bill contains an emergency clause and takes effect immediately.